

Journal of the Senate
NINETY-SECOND GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
SECOND REGULAR SESSION
VETO SESSION

FIRST DAY—WEDNESDAY, SEPTEMBER 15, 2004

The Senate was called to order in Veto Session by Lieutenant Governor Joe Maxwell.

The Reverend Carl Gauck offered the following prayer:

“Keep alert, stand firm in your faith, be courageous, be strong. Let all that you do be done in love.” (I Corinthians 16:15)

Gracious God, we gather, each to play out our part in this legislative process, to vote our conscience and be loyal to our core beliefs; in this we ask Your guidance. We remember Senator Wiggins and sadly commend him to Your eternal care. Bless him and comfort us who cared for him. And we pray for those who leave us and we are thankful for the public service they have given. And we ask Your blessings on each of us and the work that we do here this day. Amen.

The Pledge of Allegiance to the Flag was recited.

Photographers from the Associated Press, KRCG-TV and KMIZ-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day's proceedings:

Present—Senators			
Bartle	Bland	Bray	Callahan

Caskey	Cauthorn	Champion	Childers
Clemens	Coleman	Days	Dolan
Dougherty	Gibbons	Goode	Griesheimer
Gross	Kennedy	Kinder	Klindt
Loudon	Mathewson	Nodler	Quick
Russell	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—32

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

The Senate observed a moment of silence in memory of the late Senator Harry Wiggins.

RESOLUTIONS

Senator Gibbons offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Section 32, Article III of the Constitution and is ready for the consideration of its business.

Senator Gibbons offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate that the rules of the Senate, as adopted by the Ninety-Second General Assembly, Second Regular Session, be declared to be the rules of the Veto Session of the Ninety-Second General Assembly.

Senators Russell and Goode offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 3

WHEREAS, it is with special pleasure that the members of the Missouri Senate pause to recognize Marty Drewel, Director of the Senate Appropriations Staff, who received the prestigious Missouri Public Administrator of the Year Award in May 2004; and

WHEREAS, the Missouri Institute of Public Administration Award for Outstanding Contributions to Public Administration, or the "Administrator of the Year" award, is presented annually to the person or organization who is involved in the public administration field in Central Missouri; and

WHEREAS, Marty Drewel began his long and illustrious career with the State of Missouri in the Office of Administration in September 1981, and joined the Senate Appropriations Staff in February 1994; and

WHEREAS, following a brief stint with the Missouri Department of Mental Health in 1997, Marty Drewel returned to Senate Appropriations as Director in 1997; and

WHEREAS, a devout member of the First Baptist Church in Jefferson City where he coaches church league basketball, Marty Drewel derives a tremendous amount of satisfaction from a long list of hobbies which include cycling, playing golf and volleyball, gardening, and hunting; and

WHEREAS, Marty Drewel has been abundantly blessed with the love and admiration of a wonderful family whose members include his devoted wife, Debi; his two children, Ryan and Ashley; and his granddaughter, Kadence:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-second General Assembly, unanimously join in extending our most hearty congratulations to Marty Drewel upon his most worthy receipt of the Missouri Public Administrator of the Year Award, and in wishing him only the very best of success in all his future endeavors; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Marty Drewel, as a mark of our esteem for him.

Senators Caskey, Scott and Mathewson offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 4

WHEREAS, Whiteman Air Force Base is home to America's premier bomber, the B-2, and other critical military missions; and

WHEREAS, the personnel of Whiteman AFB are serving and have served with distinction in Operation Iraqi Freedom and numerous other military operations around the world; and

WHEREAS, no other base could handle the support for the B-2 Bomber as well as Whiteman AFB and the surrounding communities; and

WHEREAS, Whiteman AFB has the capacity to grow and include new missions; and

WHEREAS, Whiteman AFB employs more than 7,000 active duty military, civilians, and reservists who have a tremendous positive impact on the security of our nation and the quality of life in Missouri; and

WHEREAS, there are more than 3,400 retirees in the region who depend on Whiteman AFB for medical and other important services; and

WHEREAS, Whiteman AFB serves as a vital economic engine to the region and provides quality employment both on and off the base; and

WHEREAS, the region surrounding Whiteman AFB benefits enormously from the construction occurring both on and off the base; and

WHEREAS, the value to Missouri from all the above contributions represents a total economic benefit of more than \$414 million, including \$211.5 million from total payroll, \$62.9 million from the retiree payroll, \$77.4 million from base expenditures, and \$62.6 million estimated value of jobs created by Whiteman AFB; and

WHEREAS, the personnel of Whiteman AFB have contributed not only economically but with dedication and compassion to the nearby communities, including donating hundreds of volunteer hours, hundreds of pints of blood, and contributing enormously to the charities of the Combined Federal Campaign;

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session Veto Session, hereby urge the President of the United States, the United States Secretary of Defense, the Base Realignment and Closure Commission, and the United States Congress to maintain Whiteman AFB as the vital base that it is and expand its missions as appropriate.

COMMUNICATIONS FROM THE GOVERNOR

The following communications, regarding vetoed Senate bills, were received by the Secretary of State, reading of which was waived:

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City, Missouri
July 6, 2004

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you House Committee Substitute for Senate Substitute for Senate Concurrent Resolution No. 26, relating to the Forestry Utilization Committee.

I disapprove of House Committee Substitute for Senate Substitute for Senate Concurrent Resolution No. 26. My reasons for disapproval are as follows:

The Forestry Utilization Committee which would be established by this resolution is poorly structured and unlikely to achieve its goals. Before establishing any new state board or commission, care must be taken to ensure that it has sufficient representation of all interested parties and groups, and that it does not have too many members to do its work effectively. I am concerned that this resolution (and its companion resolution from the House) do not meet either of these criteria. For example, as established by this resolution, the committee would have 27 members; a number that could be cumbersome if the structure of the committee has not received careful thought. Further, this number of members conflicts with the number provided in the companion resolution, strengthening my sense that more careful consideration of the composition of this committee is needed.

This resolution provides for the direct appointment of committee members by private, non-governmental organizations. This approach is undesirable. Members of state boards and commissions are frequently chosen to represent private sector interests, but the actual power to appoint should be reserved to the state.

This resolution also provides that funding for the committee would come out of the Office of Administration's budget. With agency budgets so closely scrutinized for appropriate spending, I find this approach misguided. The Departments of Conservation, Agriculture, and Natural Resources are the more appropriate agencies to oversee the committee budget and staffing needs.

In short, while the purpose of this resolution seems noble and worthwhile, I believe that practical considerations merit a rethinking of the proper approach. I look forward to working with interested parties to establish an appropriately-constituted Forestry Utilization Committee, and will be pleased to sign an Executive Order establishing the Committee once these issues are resolved.

For all of the above stated reasons for disapproval, I am returning House Committee Substitute for Senate Substitute for Senate Concurrent Resolution No. 26 without my approval.

Respectfully submitted,
Bob Holden
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City, Missouri
July 2, 2004

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you House Committee Substitute for Senate Committee Substitute for Senate Bill No. 799 entitled:

AN ACT

To repeal sections 193.165 and 193.255, RSMo, and to enact in lieu thereof eight new sections relating to miscarriages and stillbirths.

I disapprove of said House Committee Substitute for Senate Committee Substitute for Senate Bill No. 799. My reasons for disapproval are as follows:

House Committee Substitute for Senate Committee Substitute for SB No. 799 is almost identical to Senate Committee Substitute for House Committee Substitute for House Bill No. 1136. I have signed Senate Committee Substitute for House Committee Substitute for HB No. 1136 today. House Committee Substitute for Senate Committee Substitute for SB No. 799 contains a minor drafting difference from Senate Committee Substitute for House Committee Substitute for House Bill No. 1136. House Committee Substitute for Senate Committee Substitute for Senate Bill No. 799 requires stillbirth procedures at every "hospital, outpatient birthing clinic, and any other health care facility." (Sections 194.384 and 194.387) Senate Committee Substitute for House Committee Substitute for House Bill No. 1136 requires stillbirth procedures at every "hospital, outpatient clinic, and any other health care facility." (Sections 194.384 and 194.387) The word "birthing" in House Committee Substitute for Senate Committee Substitute for Senate Bill No. 799 was omitted between outpatient and clinic. As a result, signing House Committee Substitute for Senate Committee Substitute for Senate Bill No. 799 would likely cause the Revisor of Statutes to print in the Missouri Revised Statutes two versions of section 194.384 and two versions of section 194.387. In addition, insertion of the word "birthing" in House Committee Substitute for Senate Committee Substitute for Senate Bill No. 799 may require outpatient clinics that do not handle fetal remains to adopt standards that will never be used.

For all of the above stated reasons for disapproval, I am returning

House Committee Substitute for Senate Committee Substitute for Senate Bill No. 799 without my approval.

Sincerely,
Bob Holden
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City, Missouri

July 6, 2004

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081 entitled:

AN ACT

To amend chapter 431, RSMo, by adding thereto eight new section relating to resolution of disputes concerning alleged defective residential construction.

I disapprove of said Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081. My reasons for disapproval are as follows:

- I. Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081 fails to adequately protect consumers.

Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081 places unreasonable obstacles that will prevent or delay homeowners from exercising their legal rights as a result of a homebuilder's mistake or malfeasance. This bill puts an undue burden on homeowners, requiring them to wait up to three to six months before being made whole. These delays could cause considerable health or safety risks. Further, they are not justified because homeowners are typically forced to file lawsuits only after all other means of informal resolution have proven fruitless.

- II. Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081 gives unwarranted protections that tip the scales of justice against homeowners.

While it is a laudable goal to resolve disputes without litigation, this bill puts consumers at a distinct and unjustified disadvantage. Many homeowners do not have the know-how or legal tools to address construction defects, and this legislation would only further hinder their ability to rectify a homebuilder's mistake. This

is especially troubling in light of the fact that many working-class Missourians are in the process of becoming first-time homebuyers as a result of moderately low interest rates. Many homeowners could be uncomfortable following the complicated requirements in this bill and will be forced to hire an attorney to assist them. Otherwise, homeowners who miss one of the many deadlines in the bill or fail to navigate the complicated procedures the bill mandates would have their lawsuits dismissed.

Additionally, forcing mediation upon two parties in unequal bargaining positions clearly puts the contractor in a distinct advantage over the homeowner. Mediation is an appropriate and important form of alternative dispute resolution, but consumers should not be forced into it in these circumstances. Mandatory mediation, where parties with unequal leverage are involved, is unproductive, particularly in small construction disputes where the cost of mediation could exceed the value of the claim. The mediation mandate in this bill, moreover, is flawed because it does not require either party to send a negotiator authorized to enter into a settlement. This creates a substantial and undesirable risk of bad-faith negotiation.

- III. Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081 may violate the open courts provisions of the Missouri Constitution's Bill of Rights.

Provisions in this legislation contain procedural hurdles that, without adequate justification, delay the claimant from filing a lawsuit against a contractor. Article 1, Section 14 of the Missouri Constitution provides, "That the court of justice shall be open to every person, and certain remedy afforded for every injury to person, property or character, and that right and justice shall be administered without sale, denial or delay." Missouri's judicial branch has historically set high standards when evaluating the constitutionality of mandatory pre-filing procedures. Certain aspects of this bill may very well fail to satisfy the courts' standards.

For all of the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081 without my approval.

Respectfully submitted,
Bob Holden
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City, Missouri

July 2, 2004

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Senate Bill No. 1111 entitled:

AN ACT

To repeal section 488.429, RSMo, and to enact in lieu thereof one new section relating to law library funds.

I disapprove of Senate Bill No. 1111. My reason for disapproval is as follows:

This bill conflicts with Senate Committee Substitute for House Committee Substitute for House Bill No. 798 which I intend to sign and which effectuates the provisions of Senate Bill No. 1111 in that Grundy County falls within the scope of Senate Committee Substitute for House Committee Substitute for House Bill No. 798. Thus, there is no need to have the conflict in the statutes.

For the above stated reason for disapproval, I am returning Senate Bill No. 1111 without my approval.

Respectfully submitted,

Bob Holden
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

July 2, 2004

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Senate Committee Substitute for Senate Bill No. 1304 entitled:

AN ACT

Relating to reimbursement from the special allocation fund for emergency services.

I disapprove of said Senate Committee Substitute for Senate Bill No. 1304. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 1304 is almost identical to House Committee Substitute for House Bill Nos. 1529 & 1655. I have signed House Committee Substitute for House Bill Nos. 1529 & 1655 today. The language in House Committee Substitute for House Bill Nos. 1529 & 1655 specifically excludes existing projects while Senate Committee Substitute for Senate Bill No. 1304 does not. As a result, signing Senate Committee Substitute for Senate Bill No. 1304 would likely cause the Revisor of Statutes to print in the Missouri Revised Statutes two inconsistent versions of the amended section in two different places in Chapter 99. Thus, signing both bills would only create confusion for local entities. In addition, the section of law contained in both bills was last amended in 2002 by Senate Bill No. 1107, which was recently found to be in violation of the Missouri Constitution by the Cole County Circuit Court. The court struck down Section 99.847, as enacted by Senate Bill No. 1107 because the bill contained too many subjects. The bills passed in

2004 place the 2002 changes back in state statute. House Committee Substitute for House Bill Nos. 1529 & 1655 more closely aligns with the original language that I approved in the 2002 bill, which also excluded existing projects.

For all of the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 1304 without my approval.

Sincerely,
Bob Holden
Governor

Senator Gibbons moved that the Senate proceed to the order of business, Vetoed Bills, and that the calendar be called, which motion prevailed.

HCS for SS for SCR 26 was called thereafter and no motion was taken thereon.

HCS for SCS for SB 799 was called thereafter and no motion was taken thereon.

Senator Kinder moved that **CCS for HS for HCS for SS for SCS for SB 1081** be passed, the objections of the Governor thereto notwithstanding, which motion failed to receive the necessary two-thirds majority by the following vote:

YEAS—Senators

Bartle	Callahan	Cauthorn	Champion
Childers	Clemens	Dolan	Gibbons
Griesheimer	Gross	Kennedy	Kinder
Klindt	Loudon	Nodler	Russell
Scott	Shields	Steelman	Vogel

Yeckel—21

NAYS—Senators

Bland	Bray	Caskey	Coleman
Days	Dougherty	Goode	Mathewson
Quick	Stoll	Wheeler—11	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

SB 1111 was called thereafter and no motion was taken thereon.

SCS for **SB 1304** was called thereafter and no motion was taken thereon.

RESOLUTIONS

Senator Gibbons offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 5

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Section 32, Article III of the Constitution, made no motion to override the Governor's vetoes of House Committee Substitute for Senate Substitute for Senate Concurrent Resolution No. 26; House Committee Substitute for Senate Committee Substitute for Senate Bill No. 799; Senate Bill No. 1111; and Senate Committee Substitute for Senate Bill No. 1304 when the bills were so called by the President.

Senator Klindt offered Senate Resolution No. 6, regarding Bob Williams, Oregon, which was adopted.

COMMUNICATIONS

President Pro Tem Kinder submitted the following:

August 17, 2004

The Honorable Bob Holden
Governor
State of Missouri
State Capitol Bldg., Room 216
Jefferson City, Missouri 65101

Dear Governor Holden:

Effective at 1:30 p.m. this date, I resign as 19th district Senator.

Yours truly,

/s/ Ken Jacob
Ken Jacob

Also,

September 9, 2004

Honorable Bob Holden
Governor of Missouri
State Capitol Building
Jefferson City, MO 65101

Dear Governor Holden:

Affective at 8:30 a.m. today, I hereby resign my office as State Senator from the 25th District.

Most sincerely,

/s/ Bill Foster
Senator Bill Foster

Also,

June 16, 2004

Mrs. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

RE: Appointment of Joint Interim Committee on Multimodal Transportation Services

Dear Terry:

Pursuant to SS/SCR 47, I am appointing the following senators to the Joint Interim Committee on Multimodal Transportation Services:

Senator John E. Griesheimer, Chairman
Senator Michael R. Gibbons
Senator Carl Vogel
Senator Joan Bray
Senator Charles B. Wheeler

If you have any questions, please feel free to contact me at your earliest convenience.

Sincerely,

/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

June 16, 2004

Mrs. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

RE: Appointment of Joint Interim Committee on Underage Drinking

Dear Terry:

Pursuant to HCS/SS/SCR 36, I am appointing the following senators to the Joint Interim Committee on Underage Drinking:

Senator Michael Gibbons, Chair
Senator John Griesheimer
Senator Maida Coleman
Senator Patrick Dougherty

If you have any questions, please feel free to contact me at your

earliest convenience.

Sincerely,
/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Sincerely,
/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

June 30, 2004

Mrs. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

**RE: Appointment of Joint Committee on Hazardous Waste
Generators and Hazardous Waste Facilities**

Dear Terry:

Pursuant to Senate Bill 1040, I am appointing the following
senators to the Joint Committee on Hazardous Waste Generators
and Hazardous Waste Facilities:

Senator John E. Griesheimer
Senator John Russell
Senator John Cauthorn
Senator Patrick Dougherty
Senator Joan Bray

If you have any questions, please feel free to contact me at your
earliest convenience.

Sincerely,
/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

June 30, 2004

Mrs. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

RE: Appointment of Joint Committee on Solid Waste

Dear Terry:

Pursuant to Senate Bill 1040, I am appointing the following
senators to the Joint Committee on Solid Waste:

Senator John E. Griesheimer
Senator Bill Foster
Senator David Klindt
Senator Patrick Dougherty
Senator Steve Stoll

If you have any questions, please feel free to contact me at your
earliest convenience.

Also,

July 16, 2004

Mrs. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

RE: Appointment to Small Business Regulatory Fairness Board

Dear Terry:

Pursuant to House Bill 978, I am appointing Senator Anita Yeckel
to the Small Business Regulatory Fairness Board.

If you have any questions, please feel free to contact me at your
earliest convenience.

Sincerely,
/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

July 20, 2004

Mrs. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

**RE: Appointment of Joint Interim Committee on Teacher
Support, Regulatory Reduction and Accountability**

Dear Terry:

Pursuant to Senate Concurrent Resolution 37, I am appointing the
following senators to the Joint Interim Committee on Teacher
Support, Regulatory Reduction and Accountability:

Senator Charles Shields, Chair
Senator Matt Bartle
Senator John Russell
Senator Steve Stoll
Senator Joan Bray

If you have any questions, please feel free to contact me at your
earliest convenience.

Sincerely,
/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

July 28, 2004

Mrs. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

RE: Appointment of Joint Interim Committee on Veterans' Issues

Dear Terry:

Pursuant to Senate Rule 31 of the Missouri Senate, I am appointing the following senators to the Joint Interim Committee on Veterans' Issues:

Senator Peter Kinder, Chairman
Senator John Cauthorn
Senator Delbert Scott
Senator Harry Kennedy
Senator Ken Jacob

Thank you for your assistance in this matter.

Sincerely,

/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

August 20, 2004

Mrs. Terry Spieler
Secretary of the Senate
Capitol Building, Room 325
Jefferson City, MO 65101

Dear Terry:

Due to the resignation of Senator Ken Jacob, I am hereby appointing Senator Maida Coleman to serve as a member of the Administration Committee.

Sincerely,

/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

September 1, 2004

Mrs. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

RE: Appointment to Interim Committee on Violent and Other Crime

Dear Terry:

Pursuant to Senate Resolution No. 1451, I am appointing the following Senators to the Interim Committee on Violent and other Crime:

Senator Anita Yeckel, Chair
Senator Jon Dolan
Senator Matt Bartle
Senator Charles Wheeler
Senator Stephen Stoll

If you have any questions, please feel free to contact me at your earliest convenience.

Sincerely,

/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

September 2, 2004

Mrs. Terry Spieler
Secretary of the Senate
Capitol Building, Room 325
Jefferson City, MO 65101

Dear Terry:

Due to the resignation of Senator Ken Jacob, I am hereby appointing Senator Charles B. Wheeler to serve as a member of the Joint Interim Committee on Veterans' Issues.

Sincerely,

/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

September 2, 2004

Mrs. Terry Spieler
Secretary of the Senate
Capitol Building, Room 325
Jefferson City, MO 65101

Dear Terry:

Due to the resignation of Senator Ken Jacob, I am hereby appointing Senator Victor Callahan to serve as a member of the Joint Committee on Gaming and Wagering.

Sincerely,

/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

Also,

September 10, 2004

Mrs. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

**RE: Appointment to Joint Advisory Committee on Tobacco
Securitization**

Dear Terry:

Pursuant to Section 8.595, I am appointing Senator Maida Coleman to the Joint Advisory Committee on Tobacco Securitization.

If you have any questions, please feel free to contact me at your earliest convenience.

Sincerely,

/s/ Peter Kinder
PETER D. KINDER
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Gibbons introduced to the Senate, Gil Schellman, St. Thomas.

Senator Loudon introduced to the Senate, the Class 4 High School State Championship Chaminade Red Devils Golf Team, Coach Jim Prag, Justin Bardgett, Zach Pranger and Justin Manion, St. Louis County.

Senator Coleman introduced to the Senate, Mrs. J.B. “Jet” Banks, St. Louis.

Senator Champion introduced to the Senate, Tracee and Misty Tollett, Texas; Jeromy Gambling, Poplar Bluff; and Nathan Schaepe, Nebraska.

Senator Kennedy introduced to the Senate, Becky James-Hatter, Ke’Sheara Ross and Bill Smith, St. Louis; and eighty Big Brothers and Big Sisters from around the state.

On motion of Senator Gibbons, the Senate adjourned until 9:00 a.m., Thursday, September 16, 2004.

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